

An Organizational and Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 3rd day of January 2012 at 8:00 P.M. and there were

PRESENT: JOHN ABRAHAM, COUNCIL MEMBER
MARK AQUINO, COUNCIL MEMBER
RONALD RUFFINO, COUNCIL MEMBER
DONNA STEMPIAK, COUNCIL MEMBER
DINO FUDOLI, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: JOHANNA COLEMAN, TOWN CLERK
DANIEL AMATURA, HIGHWAY SUPERINTENDENT
JOHN DUDZIAK, TOWN ATTORNEY
ROBERT HARRIS, TOWN ENGINEER
DAVID MARRANO, ASSESSOR
JEFFREY SIMME, CODE ENFORCEMENT OFFICER
TERRENCE MCCracken, GENERAL CREW CHIEF
JOHN TROJANOWSKY, YOUTH BUREAU DIRECTOR
GERALD GILL, CHIEF OF POLICE

PERSONS ADDRESSING TOWN BOARD:

Chowanec, Lee, spoke to the Town Board on the following matters:

- Salaries and appointments.
- Misinformation regarding Bingo Inspections and transparency in Government.

Fronczak, Mike, spoke to the Town Board on the following matters:

- Appointments.
- Agreement with William Schutt Associates for design services for installation of water lines on Schwartz Road.
- Association of Towns Annual Training School.
- County Legislator’s accountability.

Hangauer, Dave, 166 Nichter Road, spoke to the Town Board on the following matter:

- Wants Town Board resolutions available online prior to adoption by Town Board.

PRESENTATION OF ORGANIZATIONAL PREFILED RESOLUTIONS BY COUNCIL MEMBERS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, it is essential to the orderly and efficient conduct of regular and special meetings of the Town Board of the Town of Lancaster to adopt Rules of Order so that the business of the Town of Lancaster may be conducted with dispatch and decorum.

NOW, THEREFORE, BE IT

RESOLVED, that in accordance with Section 63 of the Town Law of the State of New York, the Town Board of the Town of Lancaster hereby adopts, for the years 2012 and 2013, its Rules of Order for the conduct of regular and special meetings:

RULES OF ORDER

TOWN BOARD

TOWN OF LANCASTER

RULE 1 REGULAR SESSION

Regular sessions of the Town Board of the Town of Lancaster shall be held on the first and third Monday of each month at 8 P.M., at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York, unless said first or third Monday is a legal holiday, in which event said regular session shall be held on the following business day. Each regular session and all adjourned sessions shall be open for the consideration of any matter which, in accordance with these rules, may be properly brought to the attention of the Town Board.

Regular Meetings of the Town Board shall be preceded by a work session at 7 P.M.

RULE 2 SPECIAL MEETINGS

Special meetings shall be held at the call of the Supervisor of the Town of Lancaster or upon filing with the Supervisor of the Town of Lancaster a written request signed by two members of the Town Board. Notice in writing, stating the time, place and purpose of the special meeting shall be served personally or by mail upon each member and the Town Clerk by the Supervisor of the Town of Lancaster at least two days before the time fixed for holding the meeting. A member may waive the service of notice for such meeting by written waiver signed by such member. Only business specified in the notice thereof may be transacted at a special meeting.

RULE 3 QUORUM

The majority of the duly constituted membership of the Town Board of the Town of Lancaster shall constitute a quorum for the transaction of business, but a lesser number may adjourn.

RULE 4 ROLL CALL

At any and every meeting of the Town Board, the vote on all Town Board resolutions, actions or questions determined shall be recorded or called in alphabetical order as to the last names of the members present, excepting the Supervisor, who shall vote last. Members of the Town Board,

other than the Supervisor, shall be addressed during Town Board proceedings as Council Member.

RULE 5 ORDER OF BUSINESS

The Order of Business of each session shall be:

- Pledge of Allegiance and invocation
- Calling the roll of members by the Town Clerk
- Persons desiring to address the Town Board [**On prefiled and suspended resolutions only**] (See **Rule 18**)
- Bid openings and public hearings
- Reports of department heads
- Reports of committees
- Presentation of prefiled resolutions
- Presentation of communications
- Persons desiring to address Town Board [**On any municipal related subject**] (See **Rule 18**)
- Adjournment

RULE 6 PRESENTATIONS TO BE IN WRITING

All resolutions and amendments thereof shall be in writing.

RULE 7 TIME FOR PRESENTATION TO THE CLERK

Resolutions that require preparation must be delivered to the Town Clerk by 12 Noon on the Wednesday preceding a Town Board Meeting.

Fully prepared resolutions and communications of whatever nature shall be submitted in writing to the Town Clerk before 3 P.M. on the Thursday preceding a Town Board meeting for presentation by the Town Clerk at the next Town Board meeting.

In the event of a holiday occurring on the Thursday or Friday preceding a Town Board Meeting, presentations of resolutions or requests for preparation of resolutions shall be delivered to the Town Clerk one day earlier than the aforementioned days and times.

The resolutions, communications, and as far as practical, a fully prepared agenda shall be transmitted by the Town Clerk through the cooperation of the Lancaster Police Department to the Town Board members on the Friday evening preceding each regular Town Board meeting.

The Town Clerk and Town Attorney are authorized to promote rules and regulations deemed necessary to implement Rule 7.

RULE 8 DECORUM

The Supervisor shall take the chair promptly at the hour specified for the convening of the Town Board meeting and shall preserve order and decorum. In debate, the Supervisor shall prevent personal reflections and confine members to the question under discussion. The Supervisor shall decide all questions of order, which decisions shall be final, unless an appeal is taken to the Town Board and sustained.

RULE 9 RECORDING YES AND NO VOTES

On roll call, the yes and no votes shall be taken according to Rule 4 and the Town Clerk shall record the names of the members and the way each shall have respectively VOTED.

RULE 10 WHEN A MEMBER MAY BE EXCUSED FROM VOTING

Every member who shall be in the Town Board Chambers when a question is stated by the Supervisor shall vote. A member may be excused if directly interested in the question. The member must state his/her connection with the question. After stating his/her interest and upon obtaining consent of the majority of the members, the member may be excused.

RULE 11 SPEAK WHEN RECOGNIZED BY THE SUPERVISOR

No member wishing to speak shall proceed until such member shall have addressed the Supervisor from his/her place and shall have been recognized by the Supervisor.

RULE 12 SUSPENSION OF RULES BY 2/3 CONSENT

These rules may at any time during the session be suspended by 2/3 consent of all the members of the Town Board present. The member making the application for such suspension must state the purpose for which the same is asked.

RULE 13 PRESENTATION OF MOTION

When a question shall be under consideration, no motion shall be received except the following motions:

- for an adjournment of the Board
- to lay on the table
- to recess
- to commit to a committee
- to amend

RULE 14 WITHDRAWAL OF RESOLUTION OR MOTION

Any resolution or motion offered by a member may be withdrawn by the member presenting it at any time before an announcement by the Supervisor of the vote thereon, or before an amendment to such resolution or motion has been adopted.

RULE 15 MOTION NOT AMENDABLE OR DEBATABLE

All motions for an adjournment, for a recess, to refer to committee or department head, or to lay on the table, shall be neither amended nor debated.

RULE 16 ALL POINTS OF ORDER NOT COVERED BY THESE RULES

On all points of order, not covered by the rules of this Town Board, Robert's Rules of Order Revised shall prevail. In the event that a point of order shall arise which shall not be covered by either the Rules of the Town Board or Robert's Rules of Order Revised, the Rules of the New York State Assembly shall be followed.

RULE 17 AMENDMENT OF RULES

These rules shall not be rescinded, altered or amended, nor any additional rule added thereto except by a majority vote of the total members of the Town Board provided at least two days prior notice in writing has been filed with the Town Clerk and each Town Board member.

RULE 18 PERSONS DESIRING TO ADDRESS THE TOWN BOARD

Persons may address the Town Board at any regular Town Board meeting.

The Town Board will twice hear the concerns of the public at regular Town Board meetings for a period of thirty (30) minutes under "Persons Desiring to Address the Town Board", of Rule 5 "Order of Business".

A person desiring to be heard shall:

- Raise his/her hand and be recognized by the Supervisor.
- Give his/her name and address to the Town Clerk.
- Speak directly to the Town Board members, not the audience, using the microphone provided.
- Speak once for five (5) minutes or less, unless the Town Board grants a speaker an extension of this time limit.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

| | |
|-------------------------|-----------|
| COUNCIL MEMBER ABRAHAM | VOTED YES |
| COUNCIL MEMBER AQUINO | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPIAK | VOTED YES |
| SUPERVISOR FUDOLI | VOTED YES |

January 3, 2012

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER ABRAHAM, WHO
MOVE ITS ADOPTION, SECONDED BY
COUNCIL MEMBER AQUINO, TO WIT:

Resolved that the following appointments be and are hereby made by the Town Board of the Town of Lancaster. These appointments shall be effective January 1, 2012. The individuals so appointed shall serve at the will of the Town Board unless otherwise specified by law, and compensation, if any, shall be paid consistent with the applicable Schedule of Salaries adopted by the Town Board for the 2012 calendar year.

GENERAL ADMINISTRATIVE APPOINTEES

AMATURA, DANIEL J., be and is hereby appointed Drainage Officer.

BISTOFF, JAMES, be and is hereby appointed Fire Inspector, part-time.

BLANK, SUZANNE, be and is hereby appointed Deputy Registrar of Vital Statistics.

COLEMAN, JOHANNA M., be and is hereby appointed Registrar of Vital Statistics.

DEHN, IRVING, be and is hereby appointed Court Officer, part-time.

DUDZIAK, JOHN, be and is hereby appointed Town Attorney.

DUDZIAK, JOHN, be and is hereby appointed Town Prosecutor, part-time.

FARMER, JEAN, be and is hereby appointed Assistant to the Supervisor.

FELDMANN, JEANNE, be and is hereby appointed Court Clerk.

FUDOLI, DINO J., be and is hereby appointed Affirmative Action Officer, in compliance with Title VIII of the Civil Rights Act of 1968.

FUDOLI, DINO J., be and is hereby appointed Budget Officer, part-time.

FUDOLI, DINO J, be and is hereby appointed the voting delegate to represent the Town of Lancaster at official meetings of the Northeast-Southtowns (NEST) Solid Waste Management Board.

GILL, GERALD, be and is hereby appointed 2nd Alternate Natural Disaster Service Coordinator.

HORN, DAVID, be and is hereby appointed Dog Control Officer.

JABLONSKI, MICHAEL, be and is hereby appointed Court Officer, part-time, substitute.

LOCICERO, NICHOLAS, be and is hereby appointed Town Prosecutor, part-time and Deputy Town Attorney, part-time, under the direction of the Town Attorney.

MAC PEEK, ROBERT, be and is hereby appointed Natural Disaster Services Coordinator, part-time.

MC CRACKEN, TERRENCE D., be and is hereby appointed General Crew Chief.

MC CRACKEN, TERRENCE D., be and is hereby appointed Property Manager, part-time.

NOWAK, MARY, be and is hereby appointed Secretary, part-time, to the Planning Board.

O'ROURKE, JAMES, be and is hereby appointed Games of Chance Auditor, part-time.

PAWLOWSKI, AMY, be and is hereby appointed Court Clerk.

REVELAS, WILLIAM, be and is hereby appointed Fire Inspector, part-time.

RUFFINO, RONALD, be and is hereby appointed an alternate voting delegate to represent the Town of Lancaster at official meetings of the Northeast-Southtowns (NEST) Solid Waste Management Board.

SIKORSKI, KEVIN, be and is hereby appointed Court Officer, part-time.

SIMME, JEFFREY H., be and is hereby appointed Code Enforcement Officer.

SIMME, JEFFREY H., be and is hereby appointed Plumbing Inspector.

SIMME, JEFFREY H., be and is hereby appointed 1st Alternate Natural Disaster Service Coordinator.

TERRANOVA, DIANE, be and is hereby appointed Clerk to the Zoning Board of Appeals in the event of the absence of the Clerk to the Zoning Board of Appeals.

BINGO INSPECTORS, PART-TIME

CRINZI, JOHN

DIEBEL, DONALD

ROBINSON, WAYNE

WEREMBLEWSKI, EDWARD

WILKOSZ, ALFRED

DOG CONTROL OFFICERS

GUMMO, BRIAN, be and is hereby appointed Dog Control Officer, part-time.

GUMMO, SR., WILLIAM, be and is hereby appointed Dog Control Officer, part-time.

PACANOWSKI, LEWIS, be and is hereby appointed Dog Control Officer, part-time.

PRESTIA, PENNY, be and is hereby appointed Dog Control Officer, part-time.

SITEK, GARY A., be and is hereby appointed Dog Control Officer, part-time.

HISTORIAN

MIKULA, EDWARD, be and is hereby appointed Town Historian.

VAN DRIVERS, PART-TIME

ARDILLO, CHARLES

BASTIAN, SR., NORMAN F.

EDERER, GORDON

GANGLOFF, ANN

HAUSER, ROBERT

METZGER, CLARENCE DONALD

SRODA, JOHN

ZBOCK, JOHN P.

MEMBERS OF AGENCIES, BOARDS, BUREAUS, COMMISSIONS, COUNCILS:

DRUG ABUSE PREVENTION COUNCIL:

D'AMORE, ANTHONY V., be and is hereby appointed Chairman, Drug Abuse Prevention Council.

GILL, GERALD J., be and is hereby appointed Member, Drug Abuse Prevention Council.

MILLER, LINDA L., be and is hereby appointed Member, Drug Abuse Prevention Council.

ROESSLER, CHARLES H., be and is hereby appointed Member, Drug Abuse Prevention Council.

MURPHY, ANN, be and is hereby appointed Member, Drug Abuse Prevention Council.

INDUSTRIAL DEVELOPMENT AGENCY:

FIALKIEWICZ, FRANK, be and is hereby appointed Member, Industrial Development Agency to serve at will of the Town Board.

FUDOLI, DINO J., be and is hereby appointed Member, Industrial Development Agency to serve at will of the Town Board.

KURTZMAN, ALAN, be and is hereby appointed Member, Industrial Development Agency to serve at will of the Town Board.

HOFFMAN, STEVEN, be and is hereby appointed Member, Industrial Development Agency to serve at will of the Town Board.

NUNAN, E. JAMES, be and is hereby appointed Member, Industrial Development Agency to serve at will of the Town Board.

TATE SR., WILLIAM D., be and is hereby appointed Member, Industrial Development Agency to serve at will of the Town Board.

VISONE, JOHN, be and is hereby appointed Member, Industrial Development Agency to serve at will of the Town Board.

PLANNING BOARD:

KEYSA, STANLEY JAY, be and is hereby appointed Chairman, Planning Board for the period January 1, 2012 to December 31, 2012.

SZYMANSKI, MELVIN H., be and is hereby appointed Member, Planning Board for the period January 1, 2012 to December 31, 2018.

RECREATION COMMISSION:

BARNHARDT, CINDY, be and is hereby appointed Member, Recreation Commission for the period January 1, 2012 to December 31, 2016

ZONING BOARD OF APPEALS:

LEHRBACH, JEFFREY, be and is hereby appointed Chairman, Zoning Board of Appeals for the period January 1, 2012 to December 31, 2012.

PIGNATARO, LAWRENCE, be and is hereby appointed Member, Zoning Board of Appeals, for the period January 1, 2012 to December 31, 2016

and,

BE IT FURTHER

RESOLVED, that the Town Clerk give notice of the appointment of Dino J. Fudoli as Affirmative Action Officer in a "display advertisement" in the official newspaper of the Town in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

| | |
|--------------------------|-----------|
| COUNCIL MEMBER ABRAHAM | VOTED YES |
| COUNCIL MEMBER AQUINO | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPNIAK | VOTED YES |
| SUPERVISOR FUDOLI | VOTED NO |

January 3, 2012

LEGAL NOTICE
TOWN OF LANCASTER
NOTICE OF DESIGNATION
OF
AFFIRMATIVE ACTION OFFICER

THE TOWN OF LANCASTER HAS APPOINTED DINO J. FUDOLI AS THE LOCAL
AFFIRMATIVE ACTION OFFICER.

PERSONS WHO FEEL THEY HAVE BEEN THE VICTIMS OF HOUSING DISCRIMINATION
MAY RECEIVE ASSISTANCE IN FILING A COMPLAINT BY CONTACTING MR. FUDOLI AT
21 CENTRAL AVENUE, LANCASTER, NEW YORK 14086

PHONE: 716-683-1610

January 3, 2012

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER AQUINO, WHO

MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, it is necessary, from time to time, for various departments and offices of the Town of Lancaster to hire sickness, vacation, temporary, or part-time help,

NOW, THEREFORE, BE IT

RESOLVED, that the following departments and offices of the Town of Lancaster, for the years 2012 and 2013, be and are hereby authorized to hire sickness, vacation, temporary or part-time help to the extent of funds provided in their respective budgets:

- ASSESSOR
- BUILDING INSPECTOR
- DOG CONTROL OFFICER
- HIGHWAY
- PARKS, RECREATION, FORESTRY, AND BUILDINGS
- POLICE
- SUPERVISOR
- TOWN ATTORNEY
- TOWN CLERK
- TOWN JUSTICES
- YOUTH BUREAU

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

| | |
|-------------------------|-----------|
| COUNCIL MEMBER ABRAHAM | VOTED YES |
| COUNCIL MEMBER AQUINO | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPIAK | VOTED YES |
| SUPERVISOR FUDOLI | VOTED YES |

January 3, 2012

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER AQUINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

RESOLVED, by the Town Board of the Town of Lancaster as follows:

SECTION 1:

That those Town elected and appointed officials who have been authorized by the Town Board, be and hereby are authorized to attend the 2012 New York State Association of Towns Training School And Annual Meeting, to be held in New York City on February 19th, 20th, 21st, and 22nd, 2012, with reimbursement for actual and necessary expenses, not to exceed the sum of **\$1,400.00** per individual attending. All requests for reimbursement must be received by the Supervisor not later than March 31, 2012.

SECTION 2:

That **SUPERVISOR FUDOLI** be and hereby is appointed as a delegate to the New York State Association of Towns Training School And Annual Meeting, to be held in New York City on February 19th, 20th, 21st, and 22nd, 2012, and that Council Member Ruffino be and is hereby appointed alternate delegate, to the aforesaid meeting.

SECTION 3:

That during the year 2012, Town department heads or officials, or their designees, whose expenses have been allowed in the 2012 Budget are hereby authorized to attend in **Allegheny, Cattaraugus, Chautauqua, Erie, Genesee, Monroe, Niagara and Wyoming Counties**, the regular luncheon/dinner meetings of the various official organizations relating to their official duties as Town department heads or officials. The cost of such meals shall not exceed \$35.00 per luncheon or dinner. Necessary expenses incurred in traveling to or from said meeting as well as membership fees, are hereby determined a legitimate Town expense for which such officials shall be reimbursed.

SECTION 4:

That during the year 2012, the Town Assessor or his designee is hereby authorized to attend the following educational and training sessions with reimbursement of actual and necessary expenses hereby authorized upon presentation of receipts:

- Western New York/Southern Ontario Conference of the Appraisal Institute
- Institute of Assessing Officers Conference
- New York State Assessors' Association Annual Training School, Ithaca, NY (Reimbursed by NYS Office of Real Property Services)
- New York State Assessors' Association Conference

SECTION 5:

That during the year 2012, the Code Enforcement Officer/Fire Inspector or his designee is hereby authorized to attend the following educational and training sessions with reimbursement of actual and necessary expenses hereby authorized upon presentation of receipts:

- New York State Building Officials Conference
- Niagara Frontier Building Officials Education Conference
- State Emergency Management Schools
- New York State Fire Academy Conference
- Finger Lakes Seminar
- Montour Falls New York State Fire Academy

SECTION 6:

That during the year 2012, the Court Clerks are hereby authorized to attend the following educational and training sessions with reimbursement of actual and necessary expenses hereby authorized upon presentation of receipts:

- New York State Magistrates' Association of Court Clerks

SECTION 7:

That during the year 2012, the Town Justices are hereby authorized to attend the following educational and training sessions with reimbursement of actual and necessary expenses hereby authorized upon presentation of receipts:

- New York State Magistrates' Association Conference
- New York State Association of Towns Training School and Annual Meeting

SECTION 8:

That during the year 2012, the Director of Administration and Finance is hereby authorized to attend the following educational and training sessions with reimbursement of actual and necessary expenses hereby authorized upon presentation of receipts:

- New York State-GFOA One Day Training Seminar and Annual Conference
- Western region Spring Seminar
- Western Region Summer Seminar
- Western Region Holiday Seminar
- Annual Town Finance and Management School Cosponsored by the Assoc. of Towns of NYS and the Office of the State

SECTION 9:

That during the year 2012, the Highway Superintendent or his designee is hereby authorized to attend the following educational and training sessions with reimbursement of actual and necessary expenses hereby authorized upon presentation of receipts:

- New York State Association of Town Superintendents of Highways Conference
- New York State Association of Towns Training School and Annual Meeting
- Cornell Local Roads Program For Highway Superintendents

SECTION 10:

That during the year 2012, the Police Chief or his designee is hereby authorized to attend the following educational and training sessions with reimbursement of actual and necessary expenses hereby authorized upon presentation of receipts:

- New York State Association of Chiefs of Police
- Mid Atlantic Great Lakes Organized Crime Law Enforcement Network (MAGLOCLN) Conference
- International Association of Chiefs of Police in Western New York
- New York State Association of Towns Training School and Annual Meeting

SECTION 11:

That during the year 2012, the Supervisor and Council Members are hereby authorized to attend the following educational and training sessions with reimbursement of actual and necessary expenses hereby authorized upon presentation of receipts:

- American Society for Public Administration
- Industrial Development conferences as necessary
- Association of Towns Annual Meeting And Training School of the State of NY
- New York State Association of Large Towns
- New York State Supervisors' and Legislators' Association
- Annual National Training School and Annual Meeting Conference, Washington, D.C.

SECTION 12:

That during the year 2012, the Town Attorney is hereby authorized to attend the following educational and training sessions with reimbursement of actual and necessary expenses hereby authorized upon presentation of receipts:

- New York State Association of Towns Training School and Annual Meeting

SECTION 13:

That during the year 2012, the Town Clerk or her designee is hereby authorized to attend the following educational and training sessions with reimbursement of actual and necessary expenses hereby authorized upon presentation of receipts:

- New York State Town Clerks' Association Annual Conference
- New York Association of Local Government Record Officers Annual Conference
- New York Association of Tax Receivers and Collectors Annual Conference
- New York State Association of Towns Training School and Annual Meeting

SECTION 14:

That the General Crew Chief of the Parks and Buildings & Grounds Department or his designee be and are hereby authorized to attend the following training and educational sessions with reimbursement of actual and necessary expensed hereby authorized upon presentation of receipts:

- New York State Recreation and Parks Society and New York State Association of Continuing Community Educators' Annual Conference

SECTION 15:

That the Planning Board Chairman and one Planning Board Member, to be designated by the Town Board, be permitted to attend the following training and educational session with reimbursement of actual and necessary expenses hereby authorized upon presentation of receipts:

- New York State Association of Towns Training School and Annual Meeting

SECTION 16:

That during the year 2012, the Executive Director of the Youth Bureau is hereby authorized to attend the following educational and training sessions with reimbursement of actual and necessary expenses hereby authorized upon presentation of receipts:

- New York State Association of Youth Bureaus and Youth Boards

SECTION 17:

That during the year 2012, all Town officials and employees be and hereby are authorized to be paid standard mileage per mile for the use of their personal automobiles on all Town business at a rate equal to the Internal Revenue Service Guideline Regulations for 2012 mileage reimbursement.

SECTION 18:

That all conferences, seminars, lectures and meetings not falling within a pattern of regular attendance and **not exceeding \$400.00** in reimbursable expenses, including mileage reimbursement, may be approved for attendance by the Supervisor pursuant to Section 77-b of the General Municipal Law. Conferences, seminars, lectures and meetings **exceeding \$400.00** shall require the approval of the Town Board.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

| | |
|--------------------------|-----------|
| COUNCIL MEMBER ABRAHAM | VOTED YES |
| COUNCIL MEMBER AQUINO | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPNIAK | VOTED YES |
| SUPERVISOR FUDOLI | VOTED YES |

January 3, 2012

BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, it is the recommendation of the Finance Committee of the Town Board of the Town of Lancaster to invest a portion of the funds of the Town of Lancaster, and

WHEREAS, it has been determined by said Finance Committee that there are moneys available for temporary deposit or investment not needed for immediate expenditure.

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor and/or the Director of Administration and Finance and the Town Clerk be and hereby are authorized, for the years 2012 and 2013, without further authority of the Town Board, to deposit or invest for varying periods of time, so much of the funds of the Town of Lancaster in all of its accounts for specific periods of time and at such rates of interest which, in their discretion and at such times it is deemed available, and shall be just and proper.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

| | |
|-------------------------|-----------|
| COUNCIL MEMBER ABRAHAM | VOTED YES |
| COUNCIL MEMBER AQUINO | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPIAK | VOTED YES |
| SUPERVISOR FUDOLI | VOTED YES |

January 3, 2012

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO

MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Insurance Committee of the Town Board of the Town of Lancaster deems it in the public interest to bond all elected and appointed officials and employees of the Town of Lancaster for the Faithful Performance of their duties.

NOW, THEREFORE, BE IT

RESOLVED, as follows:

SECTION 1: That all elected and appointed officials and employees of the Town of Lancaster be bonded for the years 2012 and 2013 for the Faithful Performance of their duties under a Public Employee's Faithful Performance Blanket Position Bond with an amount of indemnity of \$100,000.00 per official or employee.

SECTION 2: That additional indemnity be required for the following positions in the amount specified:

| <u>POSITION</u> | <u>LOCATION</u> | <u>NO.</u> | <u>AMOUNT</u> |
|------------------------------------|-------------------|------------|-----------------|
| Clerk Typist/Tax Department | Town of Lancaster | 1 | 200,000.00 |
| Dep. Receiver of Taxes | Town of Lancaster | 1 | 200,000.00 |
| Dir. of Administration & Finance | Town of Lancaster | 1 | 200,000.00 |
| Town Supervisor | Town of Lancaster | 1 | 200,000.00 |
| Assistant to Supervisor | Town of Lancaster | 1 | 200,000.00 |
| Clerk/Cashier | Town of Lancaster | 2 | 100,000.00 each |
| Sr. Data Proc. Clerk-Rec. Of Taxes | Town of Lancaster | 1 | 200,000.00 |
| Town Justices | Town of Lancaster | 2 | 75,000.00 each |
| Town Clerk | Town of Lancaster | 1 | 200,000.00 |
| Highway Superintendent | Town of Lancaster | 1 | 10,000.00 |

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

| | |
|-------------------------|-----------|
| COUNCIL MEMBER ABRAHAM | VOTED YES |
| COUNCIL MEMBER AQUINO | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPIAK | VOTED YES |
| SUPERVISOR FUDOLI | VOTED YES |

January 3, 2012

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK, WHO
MOVED ITS ADOPTION, SECONDED BY

COUNCIL MEMBER ABRAHAM, TO WIT:

RESOLVED, that the following Schedule of Salaries be and is hereby adopted for the year 2012: (amounts represent annual salaries unless otherwise specified)

TO BE PAID BI-WEEKLY

ASSESSOR:

| | |
|---------------------|----------------|
| Assessor (Marrano) | 68,630.00 |
| Clerk P.T. (Powell) | 15.22 per hour |

BINGO:

| | |
|---|-----------------|
| Bingo Inspector, P.T. (Crinzi - includes mileage) | 70.00 per insp. |
| Bingo Inspector, P.T. (Wilkosz/Diebel/Weremblewski/ Robinson - includes mileage) | 65.00 per insp. |
| Games of Chance Auditor, P.T. (O'Rourke – incl. mileage) | 70.00 per audit |

BUILDING AND ZONING:

| | |
|---|--------------------|
| Code Enforcement Officer (Simme) | 65,660.00 |
| Code Enforcement Officer (Simme) (Contingent on Contract with Village) | 7,000.00 |
| Clerk, P.T. (Flanagan) | 17.88 per hour |
| Fire Inspector, P.T. (Revelas/Bistoff) | 17.33 per hour ea. |

COURT:

| | |
|---|----------------|
| Clerk to Town Justice (Pawlowski) | 43,117.00 |
| Clerk to Town Justice (Feldmann) | 41,117.00 |
| Court Officer P.T. (Dehn) | 22.40 per hour |
| Court Officer P.T. (Sikorski/Jablonski) | 14.87 per hour |
| Town Justices (Montour/Kelleher) | 41,884.00 each |

| | |
|---|----------------|
| COUNCIL MEMBERS: (Abraham/Aquino/Ruffino/Stempniak) | 18,975.00 each |
|---|----------------|

DIRECTOR OF ADMINISTRATION AND FINANCE:

| | |
|--|----------------------|
| Director of Administration and Finance (Brown) | 80,988.00 |
| Dir. of Admin. & Finance (as LIDA CFO) | 1,250.00 per quarter |

DISASTER PREPAREDNESS:

| | |
|--|-----------|
| Natural Disaster Services Coordinator P.T. (MacPeck) | 18,314.00 |
|--|-----------|

DOG CONTROL:

| | |
|---|----------------|
| Dog Control Officer (Horn) | 47,577.00 |
| Dog Control Officers, P.T. on step (Sitek/Prestia/W.Gummo/ Pacanowski/B.Gummo) | |
| Full is \$15.78 per hour | |
| 75% 0 - 1040 hrs. - cumulative Town service | 11.84 per hour |
| 80% 1041 - 2080 hrs. - cumulative Town service | 12.62 per hour |
| 85% 2081 - 3120 hrs. - cumulative Town service | 13.41 per hour |
| 90% 3121 - 4160 hrs. - cumulative Town service | 14.20 per hour |
| 95% 4161 - 5200 hrs. - cumulative Town service | 14.99 per hour |
| 100% greater than 5200 hrs-cumulative Town service | 15.78 per hour |

HIGHWAY ADMINISTRATION:

| | |
|----------------------------------|-----------|
| Highway Superintendent (Amatura) | 69,788.00 |
| Drainage Officer P.T. (Amatura) | 5,450.00 |

PARKS, RECREATION, FORESTRY, AND BUILDINGS

| | |
|---|--------------------|
| General Crew Chief (McCracken) | 73,571.00 |
| Recreation Attendant P.T. - Sr. Center (Arcese) | 12.82 per hour |
| Recreation Attendant P.T. - Sr. Center (Thomson) | 9.50 per hour |
| Recreation Attendant P.T. - Sr. Center (Korzeniewski) | 11.61 per hour |
| Recreation Attendant P.T. - (O'Rourke/Giglia) | 10.10 per hour ea. |
| Recreation Attendant P.T. - Arts Director (Pesany-Au) | 12.25 per hour |
| Recreation Attendant P.T. - Arts Instructor (Heidle) | 13.25 per hour |
| Recreation Attendant P.T. - Hot Meals Operator (Szczesniak) | 10.36 per hour |
| Recreation Attendant P.T. - Hot Meals Operator (Streit) | 9.78 per hour |
| Recreation Attendant P.T. - Hot Meals Director (Tanski) | 16.82 per hour |

| | |
|--|-------------------------|
| Recreation Attendant P.T. - Ceramics Instructor (Weiss) | 10.75 per hour |
| Recreation Instructor P.T. - Computer Instructor (Loretto) | 10.00 per hour |
| Recreation Instrutor P.T. - Sr. Center (Kiesznoski/Oliveri) | 30.00 per hour ea. |
| Recreation Instructor P.T. - Sr. Center (Jankiewicz) | 22.00 per hour |
| Recreation Instructor P.T. – Sr. Center (Randall) | 20.00 per hour |
| Van Driver P.T. - Sr. Citizen (Ardillo/Bastian/Ederer/Hauser/ Metzger/Zbock/Sroda/Gangloff/Rinow) | 9.00 per hour ea. |
| POLICE: | |
| Clerk Typist (Brehm) | 41,117.00 |
| School Crossing Guard, P.T.(Gaskin/D.R. Chapman/D.W. Chapman) | 10.87 per hour ea. |
| SUPERVISOR: | |
| Supervisor (Fudoli) | 66,997.00 |
| Assistant to the Supervisor (Farmer) | 49,212.00 |
| TOWN ATTORNEY: | |
| Town Attorney and Prosecutor, P.T. (Dudziak) | 49,320.00 |
| Deputy Town Attorney P.T. and Town Prosecutor P.T. (LoCicero) | 15,535.00 |
| Clerk Typist (Braun) | 41,117.00 |
| TOWN CLERK: | |
| Town Clerk (Coleman) | 71,145.00 |
| Records Management Officer (Coleman) | 6,535.00 |
| Clerk P.T. (Martin) | 15.22 per hour |
| Clerk P.T. on step (Lutz) | |
| Full is \$15.22 her hour | |
| 90% - 0-910 hrs. cumulative service | 13.70 per hour |
| 95% - 911-1820 hrs. cumulative service | 14.46 per hour |
| 100% - greater than 1820 hours | 15.22 per hour |
| Deputy Town Clerk on step (Bascom hired 11/2/10) | |
| Full rate is \$41,117.00 | |
| 1/1/12 to 5/1/12 at 90% of full rate | 37,005.00 |
| 5/2/12 to 11/1/12 95% of full rate | 39,061.00 |
| 11/2/12 to full rate | 41,117.00 |
| Deputy Town Clerk (Blank) | 53,297.00 |
| Deputy Receiver of Taxes (Wehner) | 41,117.00 |
| YOUTH BUREAU: | |
| Executive Director (Trojanowsky) | 68,320.00 |
| <u>TO BE PAID SEMI-ANNUALLY</u> | |
| Planning Board Chairperson | 4,122.00 per annum |
| Planning Board Members (6) | 3,221.00 each per annum |
| Registrar of Vital Statistics (Coleman) | 3,000.00 per annum |
| Zoning Board of Appeals Chairperson | 2,106.00 per annum |
| Zoning Board of Appeals Members (6) | 1,635.00 each per annum |
| Clerk to Zoning Board of Appeals (Coleman) | 3,390.00 per annum |
| <u>TO BE PAID ON A PER DIEM BASIS</u> | |
| Assessment Review Board Chairperson | 200.00 per day |
| Assessment Review Board Members (5) | 160.00 per day |
| Secretary to Planning Board P.T. (Nowak) | 100.00 per meeting |

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

| | |
|-------------------------|-----------|
| COUNCIL MEMBER ABRAHAM | VOTED YES |
| COUNCIL MEMBER AQUINO | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPIAK | VOTED YES |
| SUPERVISOR FUDOLI | VOTED YES |

January 3, 2012

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER AQUINO, TO WIT:

RESOLVED, that the Manufacturers and Traders Trust Company, Bank of America, Key Bank, JP Morgan Chase Bank, Citizens Bank, N.A., New York Commercial Bank, NYCLASS-MBIA, Columbus Bank and Trust Company, Empire National Bank, First Niagara Bank and HSBC Bank be designated as the official co-depositories of the Town of Lancaster for the years 2012 and 2013, and that the Supervisor, Town Justices and Town Clerk be authorized and directed to deposit all funds coming into their hands by virtue of their office in said banks, and

BE IT FURTHER

RESOLVED, that the aforesaid designated depositories of this municipality, be and are hereby requested, authorized and directed to honor checks, drafts or other orders for the payment of money drawn in this municipality's name including those payable to the individual order of the person whose name appears thereon as a signer when bearing or purporting to bear the facsimile signature of the following:

Dino J. Fudoli

and,

BE IT FURTHER

RESOLVED, that all depositories shall be entitled to honor and charge this municipality for such checks, drafts, or other orders, regardless of by whom or by what means the actual or purported facsimile signature thereon may have been affixed thereto, if such signature resembles the facsimile specimen duly certified to or filed with the designated depositories by the Director of Administration and Finance of this municipality.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

| | |
|--------------------------|-------------|
| COUNCIL MEMBER ABRAHAM | VOTED YES |
| COUNCIL MEMBER AQUINO | VOTED YES |
| COUNCIL MEMBER RUFFINO | ABSTAINED * |
| COUNCIL MEMBER STEMPNIAK | VOTED YES |
| SUPERVISOR FUDOLI | VOTED YES |

* Council Member Ruffino is employed by HSBC Bank, therefore, due to this interest, he has abstained from this vote.

January 3, 2012

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER ABRAHAM, WHO
MOVED ITS ADOPTION, SECONDED BY

COUNCIL MEMBER STEMPIAK, TO WIT:

RESOLVED, that the Lancaster Bee is hereby designated as the official newspaper of the Town of Lancaster for the year 2012, and

BE IT FURTHER

RESOLVED, that all official notices and advertisements authorized or required by law to be published by the Town Board of the Town of Lancaster or any other Board, Commission or Officer of the Town of Lancaster be published in the Lancaster Bee.

BE IT FURTHER

RESOLVED, that the Town Board of the Town of Lancaster reserves the right to rescind this resolution with thirty (30) days notice.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

| | |
|-------------------------|-----------|
| COUNCIL MEMBER ABRAHAM | VOTED YES |
| COUNCIL MEMBER AQUINO | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPIAK | VOTED YES |
| SUPERVISOR FUDOLI | VOTED YES |

January 3, 2012

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY

COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Town Board in accordance with Section 29(10-a) of the Town Law of the State of New York, may determine by resolution that the Supervisor shall submit to the Town Clerk, within one hundred twenty (120) days after the close of the fiscal year, a copy of the report to the State Comptroller, required by Section 30 of the General Municipal Law of the State of New York.

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor of the Town of Lancaster shall furnish to the Town Clerk, within one hundred twenty (120) days after the close of the fiscal year, a copy of the report to the State Comptroller required by Section 30 of the General Municipal Law of the State of New York for the years 2012 and 2013, and

BE IT FURTHER

RESOLVED, that the Town Clerk shall cause to be published in the official newspaper of the Town of Lancaster a notice stating a copy of the Supervisor's report to the State Comptroller, as required by Section 30 of the General Municipal Law, is on file in the Town Clerk's Office and is available for public inspection and copying, and

BE IT FURTHER

RESOLVED, that a copy of this resolution be forwarded to the Town Auditors.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

| | |
|-------------------------|-----------|
| COUNCIL MEMBER ABRAHAM | VOTED YES |
| COUNCIL MEMBER AQUINO | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPIAK | VOTED YES |
| SUPERVISOR FUDOLI | VOTED YES |

January 3, 2012

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK, WHO
MOVED ITS ADOPTION, SECONDED BY

COUNCIL MEMBER RUFFINO, TO WIT:

RESOLVED, that for the years 2012 and 2013, the Town Board of the Town of Lancaster will reaffirm issuance of Building Permits at its regular meetings, which have been filed with the Town Clerk, up to 10 A.M. on the Friday preceding a Town Board Meeting.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

| | |
|-------------------------|-----------|
| COUNCIL MEMBER ABRAHAM | VOTED YES |
| COUNCIL MEMBER AQUINO | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPIAK | VOTED YES |
| SUPERVISOR FUDOLI | VOTED YES |

January 3, 2012

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY

COUNCIL MEMBER AQUINO, TO WIT:

RESOLVED, that all Town Hall Offices be opened from 9 A.M. to 5 P.M. every day, Monday through Friday, during the years 2012 and 2013, except legal holidays.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

| | |
|-------------------------|-----------|
| COUNCIL MEMBER ABRAHAM | VOTED YES |
| COUNCIL MEMBER AQUINO | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPIAK | VOTED YES |
| SUPERVISOR FUDOLI | VOTED YES |

January 3, 2012

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY

COUNCIL MEMBER STEMPIAK, TO WIT:

RESOLVED, that the Town Clerk be instructed to collect the tax roll for the years 2012 and 2013 according to the following schedule of penalties as set by the Erie County Tax Act:

COUNTY TAXES -

Taxes paid prior to February 16th - no fees or penalties
Taxes paid on February 16th, prior to March 1st - 1.5 %
Taxes paid on March 1st, prior to March 16th - 3%
Taxes paid on March 16th, prior to April 1st - 4.5%
Taxes paid on April 1st, prior to April 16th - 6%
Taxes paid on April 16th, prior to May 1st - 7.5%
Add 1.5% per month additional thereafter.

SCHOOL TAXES -

Taxes paid prior to October 16th - no fees or penalties
Taxes paid on October 16th, prior to November 1st - 7.5%
Taxes paid on November 1st, prior to December 1st - 9%

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

| | |
|-------------------------|-----------|
| COUNCIL MEMBER ABRAHAM | VOTED YES |
| COUNCIL MEMBER AQUINO | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPIAK | VOTED YES |
| SUPERVISOR FUDOLI | VOTED YES |

January 3, 2012

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

RESOLVED, that the sum of \$1,350.00 be allocated for the proper observance of Memorial Day and Independence Day to the following Veterans Organizations.

- Not to exceed \$350.00 - Lancaster Post, V.F.W.
- Not to exceed \$250.00 - Twin Village Post, V.F.W.
- Not to exceed \$250.00 - Depew Post, American Legion
- Not to exceed \$250.00 - Disabled American Veterans Korean Era
- Not to exceed \$250.00 - American Ex-Prisoners of War

provided that such expenses as apportioned shall be paid upon properly itemized and audited vouchers which shall be received during 2012, and

BE IT FURTHER

RESOLVED, that the sum of \$2,500.00 for the purpose of defraying the expenses of the proper observance of Independence Day in the Town of Lancaster, which sum shall be expended upon properly itemized and audited vouchers for such expenditure.

BE IT FURTHER

RESOLVED, that the sum of \$2,500.00 for the purpose of defraying the expenses connected with the Taste of Lancaster sponsored by the Village of Lancaster, which sum shall be expended upon properly itemized and audited vouchers for such expenditure.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

| | |
|-------------------------|-----------|
| COUNCIL MEMBER ABRAHAM | VOTED YES |
| COUNCIL MEMBER AQUINO | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPIAK | VOTED YES |
| SUPERVISOR FUDOLI | VOTED YES |

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, by resolution adopted January 3, 2012, the Town Board of the Town of Lancaster has designated the following official depositories for the Town of Lancaster, hereinafter referred to as "the Banks":

1. Manufacturers and Traders Trust Company
2. Bank of America
3. Key Bank
4. JP Morgan Chase Bank
5. Columbus Bank and Trust Company
6. Citizens Bank, N.A.
7. New York Commercial Bank
8. NYCLASS-MBIA
9. Empire National Bank
10. HSBC
11. First Niagara Bank

and,

WHEREAS, from time to time, the Town of Lancaster requests the Banks, by written or oral communication, telephone, telex, or computer communication device to transfer funds to other financial institutions or to other accounts at the Banks or to any account of a third party for credit, to parties designated by the Town of Lancaster

NOW, THEREFORE, BE IT

RESOLVED, that for the years 2012 and 2013 the Town of Lancaster enter into a Funds Transfer Agreement (and any addenda thereto) with the Banks, and that any two of the following officers or employees of the Town of Lancaster are hereby authorized to execute and deliver to the Banks said Funds Transfer Agreement (and any addenda thereto) on the conditions set forth in said Agreement and addenda, and to appoint and delegate, from time to time, such persons who may request such transfers on behalf of the Town of Lancaster in accordance with such Agreement and addenda:

1. Supervisor
2. Supervisor's Designee
3. Director of Administration and Finance
4. Town Clerk
5. Town Clerk's Designee

and,

BE IT FURTHER

RESOLVED, that the authority conferred herein may be exercised singly by any of such officers or employees and shall continue in full force and effect until written notice of modification or revocation shall be received by the Funds Transfer Division of the Banks, and that the Banks shall be protected in acting upon any form of such written notice of modification or revocation which it in good faith believes to be genuine, and

BE IT FURTHER

RESOLVED, that all funds transfer agreements and other documents heretofore executed and actions heretofore taken by any of such officers in order to implement the foregoing resolutions are hereby adopted, ratified and confirmed.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

| | |
|--------------------------|-------------|
| COUNCIL MEMBER ABRAHAM | VOTED YES |
| COUNCIL MEMBER AQUINO | VOTED YES |
| COUNCIL MEMBER RUFFINO | ABSTAINED * |
| COUNCIL MEMBER STEMPNIAK | VOTED YES |
| SUPERVISOR FUDOLI | VOTED YES |

* Council Member Ruffino is employed by HSBC Bank, therefore, due to this interest he has abstained from this vote.

January 3, 2012

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER AQUINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPNIAK, TO WIT:

WHEREAS, The Town Board has determined that there is a need to set a policy in regards to monies and other financial resources available for investment and/or deposit on behalf of the Town of Lancaster, and

WHEREAS, the Town Board of the Town of Lancaster has also determined that there is a need for a policy for the purchase of goods or services to determine the applicability of Section 103 of the General Municipal Law.

NOW, THEREFORE, BE IT

RESOLVED, that in order to protect the interests of the Town of Lancaster, its residents and taxpayers, the Town Board of the Town of Lancaster hereby adopts the following policies, as presented, to be effective immediately, and which shall supersede any previous versions of such policies:

- a. Investment Policy
- b. Procurement Policy
- c. Whistleblower Policy

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

| | |
|--------------------------|-----------|
| COUNCIL MEMBER ABRAHAM | VOTED YES |
| COUNCIL MEMBER AQUINO | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPNIAK | VOTED YES |
| SUPERVISOR FUDOLI | VOTED YES |

January 3, 2012

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER ABRAHAM, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPNIAK, TO WIT:

BE IT RESOLVED, that, pursuant to the Civil Service Law of the State of New York, (a) the Supervisor of the Town of Lancaster be and is hereby designated as the Appointing Officer of the Town of Lancaster, and (b) the Commissioner of Personnel of the County of Erie shall correspond on all matters of personnel concerning the Town of Lancaster with the Town Supervisor.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

| | |
|--------------------------|-----------|
| COUNCIL MEMBER ABRAHAM | VOTED YES |
| COUNCIL MEMBER AQUINO | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPNIAK | VOTED YES |
| SUPERVISOR FUDOLI | VOTED YES |

January 3, 2012

PRESENTATION OF REGULAR PREFILED RESOLUTIONS BY COUNCIL MEMBERS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER AQUINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

RESOLVED, that the minutes of the Regular Meeting of the Town Board held
December 19, 2011 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote on roll
call which resulted as follows:

| | |
|--------------------------|-------------|
| COUNCIL MEMBER ABRAHAM | VOTED YES |
| COUNCIL MEMBER AQUINO | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPNIAK | VOTED YES |
| SUPERVISOR FUDOLI | ABSTAINED * |

* Supervisor Fudoli was not a member of the Town Board at the time of the December 19, 2011
meeting, therefore, he abstained from this vote.

January 3, 2012

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered paid from their respective accounts as per abstract to be filed in the Office of the Town Clerk by the Director of Administration and Finance, to wit:

Claim No. 23178 to Claim No. 23406 Inclusive

Total amount hereby authorized to be paid: \$430,096.81

The question of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

| | |
|-------------------------|-----------|
| COUNCIL MEMBER ABRAHAM | VOTED YES |
| COUNCIL MEMBER AQUINO | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPIAK | VOTED YES |
| SUPERVISOR FUDOLI | VOTED YES |

January 3, 2012

File: Rclaims

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

RESOLVED that the following Building Permit applications be and are hereby reaffirmed:

CODES:

- (SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town of Lancaster are waived for this permit.
(CSW) = Conditional sidewalk waiver
(V/L) = Village of Lancaster

PREVIOUSLY TABLED PERMITS:

| | | | |
|-------|---------------|-------------|----------------|
| 16415 | Grau Builders | 11 Logan Ln | Er. Dwlg.-Sin. |
| 16993 | Grau Builders | 24 Logan Ln | Er. Dwlg.-Sin. |

NEW PERMITS:

| | | | | |
|-------|---------------------------|-------------------|-----------------|-------|
| 19859 | Lynn Bulera | 12 Clark St | Re-Roof | (V/L) |
| 19860 | Quality Aluminum II | 63 Stutzman Rd | Er. Res. Add. | |
| 19861 | Schiappa Homes LLC | 4014 Walden Ave | Er. Dwlg.-Dbl. | |
| 19862 | Schiappa Homes LLC | 4018 Walden Ave | Er. Dwlg.-Dbl. | |
| 19863 | Jon & Kimberly Chase | 29 Worthington Ln | Er. Res. Add. | |
| 19864 | Diane Oship | 74 Benson Dr | Er. Shed | (V/L) |
| 19865 | 80 W. Drullard Avenue LLC | 80W Drullard Ave | Er. Sign - Temp | (V/L) |
| 19866 | Buffalo Bungalow Inc | 165 Siebert Rd | Er. Dwlg.-Sin. | |
| 19867 | John Aman | 36 Stony Brook Dr | Er. Fence | |
| 19868 | Steven Mohalski | 392 Townline Rd | Re-Roof | |
| 19869 | Marrano/ Marc Equity Corp | 21 Pelham Rd | Er. Dwlg.-Sin. | |
| 19870 | Essex Homes of WNY Inc | 74 Middlebury Ln | Er. Dwlg.-Sin. | |
| 19871 | Schuster Construction LLC | 5729 Broadway | Re-Roof | |

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

| | |
|--------------------------|-----------|
| COUNCIL MEMBER ABRAHAM | VOTED YES |
| COUNCIL MEMBER AQUINO | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPNIAK | VOTED YES |
| SUPERVISOR FUDOLI | VOTED YES |

January 3, 2012

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, the Twin District Volunteer Fire Company, Inc., by letter dated December 15, 2011, has requested the addition of one member to the roster of said fire association.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby confirms the addition to the membership of the Twin District Volunteer Fire Company the following individual:

ADDITION:

Allen McClenathan
Lancaster, New York

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

| | |
|--------------------------|-----------|
| COUNCIL MEMBER ABRAHAM | VOTED YES |
| COUNCIL MEMBER AQUINO | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPNIAK | VOTED YES |
| SUPERVISOR FUDOLI | VOTED YES |

January 3, 2012

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER AQUINO, TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has heretofore annually authorized the administration of a Tree Planting Program for the purpose of beautifying the rights-of-way of public highways and streets of the Town of Lancaster by furnishing shade trees, and

WHEREAS, funds have been provided in the current 2012 General Town Budget for the 2012 Tree Planting Program, and

WHEREAS, the Tree Planting Committee of the Town Board has reviewed the Town of Lancaster's Tree Planting Program and recommends the planting of certain species of trees on certain streets in accordance with the official Tree Planting Master Plan of the Town of Lancaster and specifications on file in the Town Clerk's Office in the Town Hall, Lancaster, New York,

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That sealed bids be received by the Town Clerk up to 10:00 A.M., Local Time, on January 26, 2012 for meeting the requirements of the Town of Lancaster's 2012 Tree Planting Program and for supplying trees in accordance with specifications on file in the Town Clerk's Office, and

2. That the Town Clerk be and is hereby authorized to have a Notice to Bidders and Nurserymen published in the Lancaster Bee, and to have said Notice posted as required by Law, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

| | |
|-------------------------|-----------|
| COUNCIL MEMBER ABRAHAM | VOTED YES |
| COUNCIL MEMBER AQUINO | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPIAK | VOTED YES |
| SUPERVISOR FUDOLI | VOTED YES |

January 3, 2012

**LEGAL NOTICE
TOWN OF LANCASTER
NOTICE TO BIDDERS
OR NURSERYMEN**

NOTICE IS HEREBY GIVEN that sealed bids will be received by the Town Clerk or her designee up to 10:00 A.M., Local Time, on January 26, 2012 at her office in the Town Hall, 21 Central Avenue, Lancaster, New York for meeting the requirements of the Town of Lancaster's Tree Planting Program for the year 2012 in accordance with specifications on file in the Town Clerk's Office.

Each proposal must be accompanied by a check payable to the Town of Lancaster or a bid bond, having as surety thereon a surety company acceptable to the Town Attorney, in the amount of One Thousand Five Hundred Dollars (\$1,500.00) conditioned that, if the proposal is accepted, the bidder will enter into a contract for the same and that the bidder will execute any such further security as may be required for the faithful performance of the contract.

The Town Board of the Town of Lancaster reserves the right to reject any or all bids and to waive any informalities.

TOWN BOARD OF THE
TOWN OF LANCASTER

BY: JOHANNA M. COLEMAN
Town Clerk

January 3, 2012

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

WHEREAS, four fire companies have previously entered into contracts with the Town of Lancaster to furnish fire protection within the Town of Lancaster, and;

WHEREAS, the Town and each of the four fire companies desire to enter into successor contracts to extend the duration of the fire protection provided by each of the four fire companies;

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Section 184 (2) of the Town Law of the State of New York, separate public hearings will be held on the 17th day of January 2012, at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York, in accordance with the following schedule:

| | |
|---------------------------------|---|
| 8:15 o'clock P.M. Local Time | Bowmansville Volunteer Fire Association, Inc. |
| 8:15 o'clock P.M. Local Time | Millgrove Volunteer Fire Department, Inc. |
| 8:15 o'clock P.M. Local Time | Town Line Volunteer Fire Department, Inc. |
| 8:15 o'clock P.M. Local Time | Twin District Volunteer Fire Company, Inc |

and that Notice of such hearings shall be published in the Lancaster Bee on the 5th day of January 2012, and posted on the Town Bulletin Board, which Notice shall specify the time and place where said separate hearings will be held and describe in general terms the proposed separate contracts and said Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

| | |
|-------------------------|-----------|
| COUNCIL MEMBER ABRAHAM | VOTED YES |
| COUNCIL MEMBER AQUINO | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPIAK | VOTED YES |
| SUPERVISOR FUDOLI | VOTED YES |

January 3, 2012

**LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER**

LEGAL NOTICE IS HEREBY GIVEN that pursuant to the Town Law of the State of New York and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 3rd day of January 2012, will hold separate public hearings on the 17th day of January 2012 at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on a proposed two-year contract for fire protection services, in accordance with the following schedule:

| | |
|---------------------------------|--|
| 8:15 o'clock P.M. Local Time | Bowmansville Volunteer Fire Association, Inc. |
| 8:15 o'clock P.M. Local Time | Millgrove Volunteer Fire Department, Inc. |
| 8:15 o'clock P.M. Local Time | Town Line Volunteer Fire Department, Inc. |
| 8:15 o'clock P.M. Local Time | Twin District Volunteer Fire Company, Inc. |

for the purpose of hearing all interested persons for or against a separate contract to be entered into by each of said parties in accordance with Section 184 of the Town Law, for fire protection to be furnished by each of said fire companies, to the Fire Protection District established in the Town of Lancaster, upon the following general terms, to wit:

- A. The term of the contract with each fire company shall be for two (2) years.
- B. Each fire company shall answer and attend upon all calls in said Fire Protection District, and provide emergency first aid, rescue and emergency Transportation service as defined in Section 184 of the Town Law and Section 209-b of the General Municipal Law, in that territory described in said proposed contract filed in the Town Clerk's office.
- C. For such services, each fire company shall receive an annual payment from the Town as set forth in each respective contract.
- D. Such other incidental terms as may be necessary or proper in connection with such contracting.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

By: **JOHANNA M. COLEMAN**
Town Clerk

January 3, 2012

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER AQUINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, Wm. Schutt and Associates Engineering and Land Surveying, P.C., has submitted a proposal dated November 16, 2011 for the extension of the Agreement for Professional Services for Municipal Engineering with the Town of Lancaster, and

WHEREAS, the Town Board has reviewed the proposed extension and deems it to be in the public interest to enter into a one (1) year extension of the agreement as outlined in the November 16, 2011 proposal stating that there will be no increase in fees with Wm. Schutt and Associates Engineering and Land Surveying, P.C. to commence on January 1, 2012 and ending December 31, 2012 with the terms and conditions as set out in the extension agreement proposal to be agreed to by the parties.

NOW THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor of the Town of Lancaster to enter into an extension of the Agreement as outlined in the November 16, 2011 proposal stating there will be no increase in fees for Professional Services Municipal Engineering with Wm. Schutt and Associates Engineering and Land Surveying, P.C., 37 Central Avenue, Lancaster, New York 14086-2143 upon the terms and conditions which are set forth in the proposed extension agreement as submitted to the Town of Lancaster on October 18, 2011, said extension is to be for a period of one (1) year commencing January 1, 2012 and ending December 31, 2012 at a fee to be agreed to by the parties.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

| | |
|-------------------------|-----------|
| COUNCIL MEMBER ABRAHAM | VOTED YES |
| COUNCIL MEMBER AQUINO | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPIAK | VOTED YES |
| SUPERVISOR FUDOLI | VOTED YES |

January 3, 2012

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUCIL MEMBER AQUINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, the Town Engineer, Wm. Schutt & Associates, P.C. has proposed to undertake the performance of services associated with the Design, General Construction Issues, and Resident Inspection Services for the installation of 6,700 LF of water main located on Schwartz Road between William Street and Hall Road in the Town of Lancaster, and

WHEREAS, the Town desires to undertake the necessary engineering service to enable the Town to invite public bid for the construction of the before mentioned 6,700 LF of water main in an expeditious manner since the Erie County Water Authority desires to remove the deteriorated water mains in the Town of Lancaster, and

WHEREAS, the Town Board has given due consideration to the proposal made by Wm. Schutt & Associates, P.C. to undertake this additional task for the Town beyond the general engineering consultants contract for services with the Town and deems it in the public interest to move forward with the engagement of Wm. Schutt & Associates, P.C. for the professional services as proposed;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor of the Town of Lancaster to enter into a contract with Wm. Schutt & Associates, P.C. to provide engineering services associated with the Design, General Construction Issues, and Resident Inspection Services for the installation of 6,700 LF of water main located on Schwartz Road between William Street and Hall Road in the Town of Lancaster at a total fee as described in the November 22, 2011 proposal of Wm. Schutt Associates, P.C. for a sum not to exceed \$99,000.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

| | |
|-------------------------|-----------|
| COUNCIL MEMBER ABRAHAM | VOTED YES |
| COUNCIL MEMBER AQUINO | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED NO |
| COUNCIL MEMBER STEMPIAK | VOTED YES |
| SUPERVISOR FUDOLI | VOTED YES |

January 3, 2012

Communication & Reports

1. Town Clerk to Various News Media –
Notice to residents of the Town of Lancaster that if a street light is out in the Town of Lancaster report to the Supervisor's Office. Disposition = Received & Filed
2. Twin District Volunteer Fire Co. to Town Clerk –
Request change in roster. Disposition = Resolution 1/3/12
3. LIDA Chairman to Town Board and Supervisor- Elect Fudoli –
Request reappointment of the following people Frank Fialkiewicz, Steven Hoffman, Alan Kurtzman, E. James Nunan, William Tate and John Visone to the LIDA Board.
Disposition = Resolution 1/3/12
4. Highway Superintendent to Town Board –
Request awarding of bid for a T650 Bobcat Track Loader to Bobcat of Buffalo, the apparent lower bidder. Disposition = Resolution 12/19/11
5. Charlene Cera to Town Board –
Letter of concern regarding speeding on Penora Street between Como Park Blvd. and William Street, request a three way stop sign at Penora St and Transit Blvd.
Disposition = Police Chief
6. Sunoco Logistics to Town of Lancaster –
Letter regarding high pressure petroleum products pipelines in the area.
Disposition = Town Engineer, Building Inspector & Disaster Coordinator
7. Patrick Sportelli to Town Clerk –
Letter requesting consideration for appointment to the Planning Board.
Disposition = Received & Filed
8. Village of Lancaster to Town of Lancaster –
Copy of minutes from meeting that was held on December 12, 2011.
Disposition = Received & Filed
9. Town Clerk to Various News Media –
Notice of Organizational and Regular Meeting of the Town Board to be held on January 3, 2012 at 8pm and a work session held at 7pm.
Disposition = Received & Filed
10. NYS DEC to Mr. and Mrs. Banasik –
Letter regarding NYS freshwater wetlands permit application for Banasik Subdivision.
Disposition = Planning Committee, Town Engineer & Building Inspector
11. Highway Superintendent to Town Board –
Letter regarding closed drainage systems and options on how to protect them.
Disposition = Received & Filed
12. AM-POL Eagle to Supervisor- Elect Fudoli –
Letter asking for consideration to become the official newspaper in the Town of Lancaster. Disposition = Received & Filed
13. Deputy Highway Superintendent to Town Board –
Request appointment of Thomas Maryanski to Light Equipment Operator position.
Disposition = Received & Filed
14. Frank Zappia to Town Board and Supervisor Fudoli –
Letter request consideration of appointment to the Zoning Board of Appeals.
Disposition = Received & Filed
15. Code Enforcement Officer to Town Board –
Letter informing the Town Board that Mark T. Swannie resigned from the position of Part-time Fire Inspector. Disposition = Received & Filed

ADJOURNMENT:

ON MOTION OF COUNCIL MEMBER RUFFINO, SECONDED BY COUNCIL MEMBER AQUINO AND CARRIED, the meeting was adjourned at 8:52 P.M. in memory of Michael Volpini.

Signed _____
Johanna M. Coleman, Town Clerk